

1
2 AGREEMENT

3 Re Distribution of Waters of Susan River
4 and its Tributaries, during the 1936 Season.

5 WHEREAS, an agreement entitled, "Stipulation for Judgment" in the
6 case of J. J. Fleming, et al., vs. J. R. Bennett, et al., pending in the
7 Superior Court of the State of California, in and for the County of Lassen,
8 has been proposed for the consideration of the various owners of water rights
9 on Susan River and its tributaries, and

10 WHEREAS, the parties hereunto subscribed desire continuation of
11 water master service under State supervision during the 1936 season,

12 NOW THEREFORE IT IS HEREBY AGREED by and between each and every
13 party hereunto subscribed and among all of said parties, that the Division of
14 Water Resources of the Department of Public Works of the State of California
15 may undertake to distribute the waters of said Susan River and its tributaries
16 among the various parties hereunto subscribed during the period from April 1st
17 to October 31st, in 1936, only, said distribution to be in accordance with the
18 provisions hereinafter contained.

19 1. The waters of said Susan River and its tributaries shall be
20 distributed to the various parties hereunto subscribed in accordance with the
21 plan of distribution contained in the above mentioned proposed agreement, a
22 copy of which is hereunto annexed, said plan of distribution being incorporated
23 herein and made a part hereof.

24 2. Said Division of Water Resources acting by and through its
25 duly authorized agents and employees may distribute the waters of said Susan
26 River and its tributaries, as hereinbefore provided for, during said 1936
27 season and that said agents and employees shall have power and authority to
28 inspect and regulate the diversions of all the parties hereto in accordance with
29 this agreement, and in the exercise of such authority may enter upon the lands
30 of said parties for the purpose of such inspection and regulation, and may
31 establish and maintain such gaging stations and measuring devices and require
such diversion works, headgates, and measuring devices in said river and

1 diversion ditches as may be necessary or convenient. The several ditch
2 owners shall furnish the necessary labor and material for the construction
3 and installation of said structures for their respective ditches.

4 3. Nothing herein contained shall be construed as an admission
5 by any party that his legal rights or the rights of any other party are as
6 herein provided; and the distribution of water in accordance with this agree-
7 ment shall not in any manner prejudice the rights which are now claimed or may
8 hereafter be asserted by any of the parties hereto.

9 4. In order to meet the costs of such distribution by the water
10 master during the 1936 season, the parties hereto agree to pay to the Division
11 of Water Resources on or before May 1, 1936, the amount of \$2000.00, which
12 amount shall be apportioned among the various parties hereto in accordance with
13 the assessments set forth in Schedule "A" annexed hereto and made a part here-
14 of.

15 IN WITNESS WHEREOF the parties hereto have affixed their hands and
16 seals this 31st day of March, 1936.

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

SCHEDULE A

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Name of Owner	Continuous Flow Allotment c.f.s.	Apportionment of cost
Salvina Accomazzo (Mrs. A. Forno)	0.10	\$2.58
Gordon Alway	0.03	1.97
George B. Bailey and Annie E. Bailey	5.00	51.15
Josephine T. Bangham	2.65	17.35
Ross E. Bangham and Harriet P. Bangham	0.90	7.07
Bank of Lassen County	1.35	9.92
Ada E. Bantley	1.67	11.59
Antone Bantley and Melia M. Bantley	4.10	25.86
A. C. Barham and Delta M. Barham	2.37	15.70
Mardis Barry and Mabel Barry	1.05	7.95
J. A. Bennett	9.25	56.10
Jennie A. Boggs	0.07	2.20
Charles S. Brockman and Bertha Brockman	1.30	9.42
John Frederick Brockman	1.30	9.42
Frank B. Buffum and Sara E. Buffum	1.00	7.66
Eva A. Cain	0.35	3.84
California Lands, Inc.	3.33	21.34
Seymour Case and Sadie Case	2.20	14.71
Richard Castneleas and Fay Castneleas	0.30	3.55
Frank Clabots	0.03	1.97
J. O. Church	0.02	1.91
E. T. Clark	0.40	4.14
Lester Clark and Lena Clark	3.60	22.93
J. R. Collier and Jessie H. Collier	0.015	1.87
Abbie F. Cooper	2.55	18.52
Henry T. Coulthurst and Katherine C. Coulthurst	5.25	32.61
Catherine O. Cramer	1.35	9.72
R. H. Cross	3.40	21.75
Clarence E. Dakin, Elsie M. Dakin, Walter J. Dakin and Gertrude A. Dakin	3.10	19.99
Frank Davidson and Devina Davidson (Federal Land Bank)	2.70	17.64
Willis H. Davis and Neva Davis Nuckolls	0.80	6.49
Frank Dawson and Mary E. Dawson	0.04	2.02
Walter J. DeForest	1.35	9.72
Helen J. DeForest	1.70	11.77
Lorenzo E. DeForest and A. E. DeForest	4.70	29.38
Lorenzo E. DeForest (Ramsay)	3.30	21.16
W. H. Dewitt	1.75	12.06
William A. Dill and Clara W. Dill	9.05	54.92
E. F. Elskamp	0.025	1.94
Grace Ellen Elledge	2.45	16.17
Tro Emerson and Clarissa Emerson	10.95	66.08
A. Farris and T. A. Farris	0.005	1.82
H. Ray Fry and California Lands, Inc.	7.50	45.82
J. J. Fleming, Ora Lee Fleming, Robert Fleming and Mary W. L. Fleming	19.20	114.52
Joseph L. French and Winifred H. French	0.05	2.08
Fruit Growers Supply Company	4.95	30.85
Joe Carboni and W. L. Sovy	0.23	3.43
Frank Gehrig	0.18	2.75
B. F. Gibson and Clara E. Gibson	7.50	45.82
J. Gottfredson	0.02	1.91
Fannie Leavitt Gunter	1.50	10.60
John M. Hagata and Anne Hagata	2.25	15.00
Fred Hansen and Vivian K. Hansen	3.90	24.69

1			
2	\$14.71	2.20	C. F. Hart and Gretchen B. Kelley
3	2.23	0.075	W. D. Howe
3	4.14	0.40	Nathan W. Holmes and Jessie P. Holmes
4	12.94	1.90	Mary Holtan, Fred Bentley and Rose Mallery
4	2.61	0.14	Clyde Houghton
5	28.80	4.60	William C. Hulman and Hannah F. Hulman
5	33.79	5.45	J. L. Humphrey
6			Label Jackson, Sam Jackson, Andrew Jackson, Edward Jackson, Emma Jackson, Martin Jackson & Lillian Jackson
7	4.73	0.50	Rees T. Jenkins, Kate Jenkins & Rees T. Jenkins Land and Livestock Company
8	37.78	6.13	A. R. Jensen
8	11.48	1.65	Della Jensen and C. C. Wich
9	15.29	2.30	Georgia B. Jensen
9	11.17	1.60	Emma F. Johnston
10	10.69	1.50	Fred Johnston, Edna L. Johnston, Edward Chappins and Nancy C. Chappins
11	18.51	2.85	Zeb Johnston, Bert Hostetter and Harry Pitch
11	2.66	0.15	Frank Laniger, H. W. Laniger, Ed Laniger, et al
12	10.00	1.40	County of Lassen
12	2.31	0.09	Lassen Lumber and Box Company
13	216.96	36.65	Lassen Lumber and Box Company
13	6.25	0.762	Estate of George B. Lawitt
14	10.59	1.50	James B. Lawitt
14	10.59	1.50	Roy S. Lonselle and Carrie Lonselle
15	6.46	0.80	Edward Lucas
15	2.01	0.04	Charles V. Mahle and Laura E. Mahle
16	7.36	0.93	Rose Mallery
16	13.82	2.05	Wilson E. Mallery, Antonie Bentley and Ada Bentley
17	13.23	1.93	James W. Kapes and Donna C. Kapes
17	79.81	13.29	Anna Mattison
18	7.94	1.03	James H. B. McClelland, Esther A. McClelland
18	64.90	10.75	J. D. Andrews and Ida Andrews
19	10.73	1.524	Grace L. Milsap
19	5.60	0.65	Frank Morando and Geraldine Morando
20	1.96	0.03	Ralph Morgan
20	8.24	1.10	Robert D. Murphy and California Land, Inc.
21	27.50	4.38	Mary S. Mutter
21	2.66	0.15	H. E. Nett
22	5.89	0.70	J. V. Pardee
22	10.59	1.50	Lizzie E. Perry
23	14.70	2.20	Thomas Weston Ramsey and Addie May Ramsey
23	5.89	0.70	Reno National Bank
24	2.66	0.15	Henry Reuck
24	32.31	5.20	Sebern Ridenour and Minnie Ridenour
25	5.01	0.55	Mrs. John Rul
25	21.33	3.33	Pierre Salfores
26	24.38	3.85	Miguel Sallas and Robert Sallas
26	9.12	1.25	J. T. Sharp
27	2.13	0.06	Frank Sorsoyl
27	1.79	0.002	J. H. Staup and Nellie Staup
28			C. M. Stewart, Mattilda E. Stewart, Walter Stewart, Estelle Strenshley, Martin E. Wright and Laura Stewart Wright
29	5.71	0.67	James Strenshley
30	22.33	3.50	John L. Tanner and Lois L. Tanner
30	31.14	5.00	John L. Taylor, Blanche L. Taylor, George H. Taylor and Katherine Taylor
31	2.66	0.15	John T. Theodore and Hattie E. Theodore
31	18.88	1.88	U. J. Travis

SCHEDULE A (Con't)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

	:	:
Dept. of Agriculture of U. S. of America	: 0.09	: \$ 2.31
Pascual Uranga	: 0.034	: 1.98
Patrick H. Walsh and Margaret Walsh	: 17.00	: 101.59
Wa. H. Warner and Mary E. Warner	: 0.01	: 1.84
Frank V. Wood and Maude E. Wood	: 1.20	: 8.83
George Woodstock and Dora S. Woodstock	: <u>1.00</u>	: <u>7.65</u>
	:	:
TOTALS	: 306.58	: \$2000.00
	:	: